

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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THE JOHN K. MACIVER INSTITUTE FOR  
PUBLIC POLICY, INC.,

Plaintiff,

v.

FRANCIS SCHMITZ, *et al.*,

Defendants.

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ORDER

16-cv-539-wmc

A telephonic hearing was held today in the above-captioned matter, at which the parties appeared by counsel. This order memorializes the rulings the court made during that hearing.

ORDER

IT IS ORDERED THAT:

1. By January 13, 2017, defendants shall file a response to the five categories of discovery plaintiff seeks on page eight of its brief in opposition to defendants' motion to stay discovery (dkt. #80), indicating specifically: (1) which defendants, if any, are in possession or control of the documents requested (or the referenced, underlying documents from which a description or index is requested) as described in the first four categories, and if so, what information is in that defendant's possession or control; and (2) defendants' plans as to the fifth category.
2. All discovery is stayed until January 20, 2017, pending further order of the court.
3. Plaintiff may have until January 13, 2017, to file a limited brief addressing any *new* argument as to the specific questions posed by the court with regard to the

meaning of “court warrant” and “legislative authorization” under the good faith defense in the Stored Communications Act, 18 U.S.C. § 2707(e)(1). There shall be no response absent advance leave of the court.

4. Barring an earlier ruling by the court, an in-person hearing on defendants’ motions to dismiss (dkt. ##65, 68) will be held on March 22, 2017, at 1:00 p.m.

Entered this 4th day of January, 2017.

BY THE COURT:

/s/

WILLIAM M. CONLEY  
District Judge